

MINUTES OF THE CHARTER TOWNSHIP OF MUNDY
SPECIAL BOARD MEETING HELD ON JUNE 18, 2009

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The Special Meeting of the Charter Township of Mundy was called to order by SUPERVISOR D. Guigear at 10:02 am. CLERK T. Ketzler, TREASURER J. Oskey, TRUSTEES M. Frost, B. Harrison, B. Morey and D. Owens were present. Also present ATTORNEY F. Belzer and FINANCE DIRECTOR K. Ruddy. The Pledge of Allegiance was led by Clerk T. Ketzler.

PUBLIC COMMENT

There were no comments from the audience.

I. FARMERS MARKET

Supervisor D. Guigear explained that the board is the Farmers Market Committee and he would like the board to decide how they wish to proceed with the farmers market. He reviewed that none of the township owned equipment had been returned by the individuals who ran the market last year and no vendors had made deposits to participate in upcoming market. Treasurer J. Oskey questioned if the market should take place since there are no vendors participating. Supervisor D. Guigear noted that the market is to begin this Saturday and suggested that the market be suspended. Supervisor D. Guigear expressed his thoughts that the market is a worthwhile project. He restated his concern that none of the property had been returned.

Motion by Treasurer J. Oskey, supported by Trustee B. Harrison to suspend the Farmers' Market for the 2009 season. All ayes. Motion carried unanimously.

Discussion

Trustee D. Owens stated his agreement that the market is a worthwhile project. Trustee T. Ketzler expressed her thoughts that the market would be a greater success if it is not on a day that conflicts with other area market days. Trustee B. Morey commented that the market start date is late. Supervisor D. Guigear noted that Todd Regester did give to him a CD containing the suggested market logo and market information. Trustee M. Morey stated that it appears that there is a communication problem between the township and the individuals who ran the market.

II. PARK'S AND RECREATION COMMITTEE

Supervisor D. Guigear summarized that the Park's and Recreation Committee and the Farmer's Market Committee were separated. He explained that the internal controls suggest by the Finance Director have not been adhered to although there has been communication both verbal and written requesting the return of township property with Mr. Taylor and Mr. Godley there has been no action. Trustee T. Ketzler expressed her concern that Mr. Taylor did enter into a contract, although only the township board has the authority to do so. Treasurer J. Oskey questioned the accountability of those running the market. Supervisor D. Guigear noted that correspondence was sent on multiple occasions requesting the return of township property and information regarding grants. Treasurer J. Oskey stated that he spoke with both Mr. Taylor and Mr. Godley prior to sending the March 30 correspondence and there has been no further discussion. Supervisor D. Guigear stated that he spoke with Mr. Godley on June 11 to request the return of the items by June 12. Correspondence was drafted on June 10 by the attorney requesting the return of the property. Mr. Godley responded on June 12 requesting that he be allowed until June 20 to return the items. Supervisor D. Guigear stated that he has not had any further dialog with Mr. Taylor or Mr. Godley. He reviewed that historically Mr. Taylor has not followed the guidelines set forth by the township board. Supervisor D. Guigear stated that the fact that the township property was not returned hindered the farmers market. Ms. Harrison expressed her thoughts regarding the separation of the Farmers Market Committee and Parks and Recreation Committee. Treasurer J. Oskey stated that it must be decided what the next course of action will be. Trustee T. Ketzler stated that she feels the committee has good intentions, however, plans have not moved forward due to ongoing conflict. Trustee D.

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Owens reviewed that the 5 year plan is moving forward and he feels that the restructuring of the committee would be beneficial. Trustee M. Frost reviewed that many of the issues had been discussed by the previous board. He questioned if the signs that were ordered have been paid for by the township and if information regarding who ordered the signs could be obtained. K. Ruddy stated that the signs were paid for by the township. Supervisor D. Guigear noted that the building official has not approved of the signs in question. He reviewed that the communication between the board and the Parks and Recreation Committee chairman and vice chairman has not been good. Trustee M. Frost expressed his concern that allegations regarding possession of the signs are being made. Attorney Belzer explained that there is a number of items owned by the township that are missing and action by way of a criminal complaint should be taken. He stated that he is satisfied with the evidence and suggested that a civil complaint known as a claim and delivery action also be made against Mr. Taylor and Mr. Godley. He suggested that the Supervisor or Finance Director be authorized to proceed with the complaint.

Motion by Clerk T. Ketzler, supported by Trustee D. Owens to restructure the Parks and Recreation Committee with the removal of Mr. Taylor and Mr. Godley from the committee and the addition of individuals who will be necessary to make the committee whole. All ayes. Motion carried unanimously.

Supervisor D. Guigear reviewed that many requests for a list of items been made.

Motion by Clerk T. Ketzler, supported by Treasurer J. Oskey to authorize the Finance Director to initiate a criminal complaint with regard to the township property.

Motion amended by Clerk T. Ketzler, supported by Treasurer J. Oskey to make the Supervisors office a party to the action. All ayes. Motion carried unanimously.

Discussion
Trustee B. Morey questioned the dollar value of the items missing. Clerk T. Ketzler stated that the amount exceeds \$350.00. She noted that both attorney fees and the time of the finance director have been spent on this issue. Treasurer J. Oskey stated that he wishes to also be a party to the action. Supervisor D. Guigear explained that the Treasurer as well as all other board members would be kept informed.

Motion by Treasurer J. Oskey, supported by Clerk T. Ketzler to initiate a claim and delivery action to retrieve the township property and or the equal amount of money for its worth in a civil court. All ayes. Motion carried unanimously

Discussion
Treasurer D. Owens questioned if the cases would be concurrent. Attorney Belzer explained that there may be benefits to doing so. Supervisor D. Guigear commented that correspondence states that action will take place by the 20th, however he wishes to proceed. Trustee B. Harrison noted that the township has spent time and effort to resolve this situation. Trustee M. Frost stated that he supports the action; however, he would like quicker action in the future. Treasurer J. Oskey commented that he feels it was necessary to allow ample time for the individuals to respond to the requests.

Attorney Belzer stated that he has spoken to the attorney which Mr. Godley claims to have consulted with. The attorney, his associates and his office does not have knowledge of Mr. Godley.

Motion by Clerk T. Ketzler, supported by D. Owens to adjourn at 10:52 am. All ayes. Motion carried unanimously.

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Respectfully Submitted,

7-27-09

Dated
TK/aeb

Tonya Ketzler
Tonya Ketzler, Clerk

Approved:

7-27-09

Dated
DG/aeb

David Guigear
David Guigear, Supervisor

These minutes were prepared by Amanda EW Bastuk, for Mundy Township

7-27-09

Dated

Amanda EW Bastuk
Amanda EW Bastuk, Recording Secretary

